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Attorneys for Defendants
SELECT PORTFOLIO SERVICING, INC. (erroneously sued as "Select Portfolio Servicing") and NATIONAL DEFAULT SERVICING CORPORATION

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

DONALD OKADA, an individual

Plaintiff,

VS.

BANK OF AMERICA, N.A.; SELECT PORTFOLIO SERVICING; NATIONAL DEFAULT SERVICING CORPORATION AND; DOES 1-50;

Defendants.

) CASE NO. 8:15-cv-00981

) **REQUEST FOR JUDICIAL**
}) **NOTICE IN SUPPORT OF**
}) **SELECT PORTFOLIO**
}) **SERVICING, INC. AND**
}) **NATIONAL DEFAULT**
}) **SERVICING CORPORATION'S**
}) **MOTION TO DISMISS**

1 Defendants Select Portfolio Servicing, Inc. and National Default Servicing, Inc.
 2 request that the Court take judicial notice of the documents attached hereto pursuant to
 3 Fed. R. Evid. 201. “Under Fed. R. Evid. 201, a court may take judicial notice of
 4 ‘matters of public record.’” *Lee v. City of Los Angeles*, 250 F.3d 668, 689 (9th Cir.
 5 2001) (quoting *Mack v. South Bay Beer Distrib.*, 789, F.2d 1279, 1282 (9th Cir.
 6 1986)). *See also See Montes v. Quality Loan Service Corp.*, 2010 WL 114485, at *1
 7 (C.D. Cal. Jan. 5, 2010) (taking judicial notice of plaintiff’s Deed of Trust and facts
 8 contained therein because a Deed of Trust is “capable of accurate and ready
 9 determination by resort to sources whose accuracy cannot reasonably be questioned”).

10 1. A Deed of Trust, related to the property located at 316-316 1/2 Iris
 11 Avenue, Newport Beach, CA 92625, recorded on November 17, 2006 in the Orange
 12 County Recorder’s Office, as Document No. 2006000781337. A true and correct copy
 13 is attached as Exhibit A.

14 2. A Deed of Trust and Assignment of Rents, related to the property located
 15 at 316-316 1/2 Iris Avenue, Newport Beach, CA 92625, recorded on November 17,
 16 2006 in the Orange County Recorder’s Office, as Document No. 2006000781338. A
 17 true and correct copy is attached as Exhibit B.

18 3. An Assignment of Deed of Trust, related to the Deed of Trust in Exhibit
 19 A, recorded on June 22, 2011 in the Orange County Recorder’s Office, as Document
 20 No. 2011000304326. A true and correct copy is attached as Exhibit C.

21 4. A Notice of Default and Election to Sell Under Deed of Trust, related to
 22 the Deed of trust in Exhibit A, recorded on August 5, 2011 in the Orange County
 23 Recorder’s Office, as Document No. 2011000384179. A true and correct copy is
 24 attached as Exhibit D.

25 5. A Notice of Trustee’s Sale, related to the Notice of Default in Exhibit D,
 26 recorded on November 10, 2011 in the Orange County Recorder’s Office, as
 27 Document No. 2011000571664. A true and correct copy is attached as Exhibit E

6. A Notice of Rescission of Declaration of Default, related to the Notice of Default in Exhibit D, recorded on December 19, 2013 in the Orange County Recorder's Office, as Document No. 2013000698301. A true and correct copy is attached as Exhibit F.

7. A Notice of Default and Election to Sell Under Deed of Trust, related to the Deed of Trust in Exhibit A, recorded on February 27, 2015 in the Orange County Recorder's Office, as Document No. 2015000105792. A true and correct copy is attached as Exhibit G.

DATED: July 24, 2015

LOCKE LORD LLP

By: /s/ Jonathan S. Lieberman

Conrad V. Sison

Jonathan S. Lieberman

Attorneys for Defendants

SELECT PORTFOLIO SERVICING, INC.
and NATIONAL DEFAULT SERVICING
CORPORATION